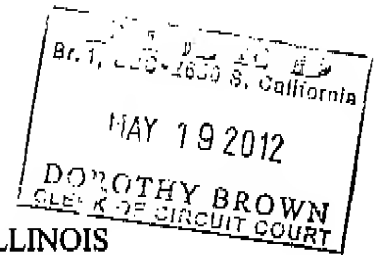


STATE OF ILLINOIS )  
 ) SS.  
 COUNTY OF COOK )



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
 COUNTY DEPARTMENT, CRIMINAL DIVISION

THE PEOPLE OF THE )  
 STATE OF ILLINOIS )

Plaintiff )

-VS- )

BRIAN CHURCH )  
 JARED CHASE )  
 BRENT BETTERLY )

Defendants )

12MC1-15344  
 12MC1-15345  
 12MC1-15347

PEOPLE'S FACTUAL PROFFER  
IN SUPPORT OF SETTING BOND

NOW COME the People of the State of Illinois, Plaintiff herein, through their attorney ANITA ALVAREZ, State's Attorney of Cook County, by her Assistant Matthew Thrun, and hereby present their factual proffer in support of setting bond.

I. Introduction:

Section 5/110-5 of the Illinois Code of Criminal Procedure sets forth criteria relevant to determining the amount of bail and conditions of release. 725 ILCS 5/110-5. The information used by the Court in its findings with regard to setting the amount of bail may be presented by way of written proffer based upon reliable information offered by the State. 725 ILCS 5/110-5.

Defendants Brian Church, Jared Chase, and Brent Betterly ("defendants") are each initially charged by way of criminal complaint for preliminary examination with the felony offenses of: (1) Material Support for Terrorism, in violation of 720 ILCS 5/29D-29.9 (a special class X felony punishable by 9 to 40 years in prison); (2) Conspiracy to Commit Terrorism, in violation of 720 ILCS 5/29D-14.9 and 5/8-2 (a class one felony punishable by 4 to 15 years in prison); and (3) Possession of Explosives or Explosive or Incendiary Devices, in violation of 720 ILCS 5/20-2 (a special class one felony punishable by 4 to 30 years in prison).

II. Defendants:

The defendant Brian Church ("CHURCH") is 22 years old and resides in Fort Lauderdale,

Florida. The defendant Jared Chase ("CHASE") is 27 years old and resides in Keene, New Hampshire. The defendant Brent Betterly ("BETTERLY") is 24 years old and told police that he resides in Massachusetts.

### III. The Facts:

In conjunction with the assistance of federal and local authorities, the Cook County State's Attorney's Office (SAO) and the Chicago Police Department CPD have charged this matter as part an ongoing public safety investigation being conducted for the summit conference of the North Atlantic Treaty Organization ("NATO"). As to this particular case, the covert investigation began in early May 2012, and revealed the following:

The defendants CHURCH, CHASE and BETTERLY are self-proclaimed anarchists, and members of the "Black Bloc" group, who traveled together from Florida to the Chicago area in preparation for committing terrorist acts of violence and destruction directed against different targets in protest to the NATO Summit. Specifically, plans were made to destroy police cars and attack four CPD stations with destructive devices, in an effort to undermine the police response to the conspirators' other planned actions for the NATO Summit. Some of the proposed targets included the Campaign Headquarters of U.S. President Barack Obama, the personal residence of Chicago Mayor Rahm Emmanuel, and certain downtown financial institutions.

During the investigation, CHURCH stated that he wanted to recruit four groups of four coconspirators (for a total of sixteen people) to conduct the raids, and that reconnaissance had already been conducted at CPD Headquarters located at 3510 South Michigan Avenue for the purpose of a planned attack. As part of their efforts, the defendants also possessed and/or constructed improvised explosive-incendiary devices and various types of dangerous weapons (including a mortar gun, swords, hunting bow, throwing stars, and knives with brass-knuckle handles), as well as police counter-measures such as pre-positioned shields, assault vest, gas mask equipment and other gear to help hide their identity during their operations. At one point in the investigation, CHURCH stated that he also wanted to buy several assault rifles, and indicated that if a police officer was going to point a gun at him, then CHURCH would be "pointing one back" at the cop.

On May 8, 2012, as part of their pre-NATO Summit preparations, the defendants resided in an apartment, along with other individuals, located at the three-flat residence on 1013 West 32nd Street, Chicago Illinois. During the investigation, topics of conversation by the conspirators included committing acts of violence in other jurisdictions, planning escape routes, discussing and conducting late-night training sessions for engaging in combat with the police, and avoiding detection by law enforcement's use of electronic surveillance, FBI informants, and forensic evidence. In one conversation, a defendant stated that "the city doesn't know what it's in for" and that "after NATO, the city will never be the same" as before.

On May 16, 2012, CHURCH, CHASE, BETTERLY and others engaged in detailed conversations about the preparation of numerous incendiary devices known as "Molotov Cocktails" made out of empty beer bottles that were filled with gasoline and fitted with fusing. During these activities, CHASE obtained gasoline at the BP Gas Station located at 31<sup>st</sup> and

Halsted, and then returned to the safe house at 1013 West 32<sup>nd</sup> Street. Upon return, the defendants using gloves began to make the Molotov Cocktails and cut bandanas as timing devices. During construction, CHURCH and CHASE assisted in the preparation and BETTERLY gave instructions on how to properly assemble and use the Molotov Cocktails. While the Molotov Cocktails were being poured, CHURCH discussed the NATO Summit, the protests, and how the Molotov Cocktails would be used for violence and intimidating acts of destruction. At one point, CHURCH asked if others had ever seen a "cop on fire" and discussed throwing one of the Molotov Cocktails into the 9<sup>th</sup> District Police station. Upon completion of several of the devices, plans were then discussed to load the Molotov Cocktails into a car located near the residence.

Given the imminent threat to public safety (including the residents in other parts of the building), surveillance officers alerted SAO prosecutors involved in the covert investigation who immediately obtained a judicially-approved, no-knock search warrant for the target location. Thereafter, CPD officers executed the warrant and detained the subjects inside the residence. Along with the assistance of the Federal Bureau of Investigation and the U.S. Secret Service, the officers recovered and analyzed various items from the search, including weapons, four completed Molotov Cocktails, written plans for the assembly of pipe bombs, Chicago area map, computer equipment, recording devices, video cameras, cell phones, and an assault vest, among other items.

The investigation continues.

IV. Bond Recommendation:

Section 5/110-5 of the Illinois Code of Criminal Procedure sets forth criteria relevant to determining the amount of bail and conditions of release. 725 ILCS 5/110-5. In particular, the Court may consider the nature and circumstances of the charged offenses, and that the above-stated facts clearly demonstrate a threat to the safety of the community, the contemplated use of violence, and the possession of explosive devices. Based upon matters discussed herein, the People of the State of Illinois recommend that this Honorable court set a bond of five million dollars cash in this case as to each offender with a source of bail bond requirement.

Respectfully submitted,

ANITA ALVAREZ  
STATE'S ATTORNEY OF COOK COUNTY



BY: MATTHEW THRUN  
Assistant State's Attorney

